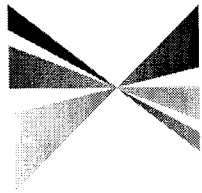


SOUTHERN CALIFORNIA



**ASSOCIATION OF
GOVERNMENTS**

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McCallion, Highland • Deborah Robertson,
Rialto • Alan Wapner, Ontario

Ventura County: Judy Mikels, Ventura County •
Glen Becerra, Simi Valley • Carl Morehouse, San
Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou
Correa, County of Orange

Riverside County Transportation Commission:
Robin Lowe, Hemet

Ventura County Transportation Commission:
Keith Millhouse, Moorpark

599 SJ 24/05

MEETING OF THE

SOLID WASTE TASK FORCE

NOTE: NEW TIME & MEETING ROOM

Thursday December 22, 2005

Riverside B Conference Room

10 a.m. to 12 p.m.

Located at:

SCAG MAIN OFFICE

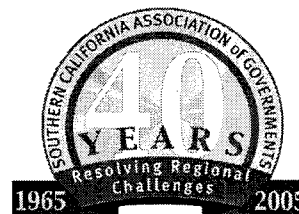
818 West Seventh Street, 12th Floor

Los Angeles, CA 90017

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If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Jacob Lieb at 213.236.1921 or lieb@scag.ca.gov.

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. If you require such assistance, please contact SCAG at (213) 236-1868 at least 72 hours in advance of the meeting to enable SCAG to make reasonable arrangements. To request documents related to this document in an alternative format, please contact (213) 236-1868.



SOLID WASTE TASK FORCE AGENDA

December 22, 2005
10:00 a.m. to 12:00 p.m.

PG#

1.0 CALL TO ORDER

Hon. Toni Young,
Chair

2.0 PUBLIC COMMENT PERIOD

Members of the public desiring to speak on an agenda time or items not on the agenda, but within the purview of this task force, must notify the Chair and fill out a speaker's card prior to speaking. Comments will be limited to three minutes and the Chair may limit the total time for comments to 20 minutes.

3.0 ROUTINE ITEMS

3.1 MEMBERSHIP LIST AND CONTACT INFORMATION Attachment

3.2 MEETING MINUTES October 25, 2005 MEETING Attachment

4.0 INFORMATION ITEMS

4.1 Legislative Update Task Force will discuss progress and issues on AB 1090 including a review of the Legislative Study Session on November 16, and also Discuss AB 1497. Attachment

Hon. Toni Young
Chair

8

4.2 Regional Comprehensive Plan Draft Solid and Hazardous Waste Chapter Revised Outline Staff will continue discussion on a proposed new outline for the Chapter's "Existing Conditions" section. Attachment

Jacob Lieb
Acting Lead Regional Planner
Carolina Morgan
Associate Regional Planner

9

SOLID WASTE TASK FORCE AGENDA

**December 22, 2005
10:00 a.m. to 12:00 p.m.**

5.0 ACTION ITEMS

**6.0 SET NEXT MEETING DATE/TIME/LOCATION **Hon. Toni Young,
Chair****

7.0 ADJOURNMENT

SOLID WASTE TASK FORCE AGENDA

**December 22, 2005
10:00 a.m. to 12:00 p.m.**

Item 3.1

MEMBERSHIP LIST AND CONTACT INFORMATION

December 22, 2005

SOLID WASTE TASK FORCE AGENDA

December 22, 2005

10:00 a.m.-12:00 p.m.

Name	Address	Phone	Fax	e-mail
Clark, Margaret	Hon. Margaret Clark 3109 N. Prospect Rosemead, CA 91770	(626) 569-2100	(626)307-9218	bcrowe@cityofrosemead.org
Eckenrode, Norman	Hon. Norman Eckenrode Councilmember, City of Placentia 401 E. Chapman Ave. Placentia, CA 92870	(714) 993-8261	(714)961-0283	neckenrode@adelphia.net
Martin, Kay	Ms. Kay Martin Vice President, BioEnergy Producers Assn. 236 Ferro Drive Ventura, CA 93001	(805) 653-5935		kay4bioenergy@aol.com
Miller, Michael	Hon. Michael Miller Mayor, City of West Covina 1444 W. Garvey Ave. West Covina, CA 91793	(939) 814-8400	(939) 814-8406	millereviro@earthlink.net
Mohajer, Mike	Mr. Mike Mohajer P.O. Box 3334 Box 1460 San Dimas, CA 91773	(909) 592-1147	(909) 592-1147	mikemohajer@yahoo.com
Nelson, Larry	Hon. Larry Nelson Councilmember, City of Artesia 18747 Clarkdale Ave Artesia, CA 90701-5899	(562) 865-6262	(562) 865-6240	lnelson@cityofartesia.org
Smith, Greig	Hon. Greig Smith Councilmember, City of Los Angeles – District 12 200 N. Spring Street, 4th FL Room 405 Los Angeles, CA 90012	(213) 473-7012	(213) 473-6925	smith@council.lacity.org
Van Arsdale, Lori	Hon. Lori Van Arsdale Councilmember, City of Hemet 445 E. Florida Ave Hemet, CA 92543	(951) 765-2303	(951) 765-3785	lvansarsdale@ci.hemet.ca.us
Vizcarra, Joe	Mr. Joe Vizcarra Lt. Traffic Operations Center Los Angeles Communications Center California Highway Patrol 120 S. Spring Street Los Angeles, CA 90012	(213) 897-6136	(213) 897-0519	jvizcarra@chp.ca.gov
Young, Toni (Chair)	Hon. Toni Young Councilmember, City of Port Hueneme 766 Polaris Way Port Hueneme, CA 93041-2333	(805) 986-6500	(805) 986-6581	ottoandtoni@verizon.net

SOLID WASTE TASK FORCE AGENDA

**December 22, 2005
10:00 a.m.-12:00 p.m.**

**Item 3.2
MINUTES, OCTOBER 25 MEETING
December 22, 2005**

SOLID WASTE TASK FORCE AGENDA

December 22, 2005

10 a.m. to 12 p.m.

**THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY
THE SOLID WASTE TASK FORCE.**

October 25, 2005

1.0 CALL TO ORDER

Chair Toni Young called the meeting to order at approximately 1:00 PM. Attending members were:

**Clark, Margaret
Mohajer, Mike
Smith, Greig
Young, Toni**

2.0 PUBLIC COMMENT PERIOD

There were no comments from the public.

3.0 ROUTINE ITEMS

3.1 Membership List and Contact Information

3.2 Minutes of June 23, 2005 Meeting

Minutes were approved with two corrections where the meeting date was incorrectly listed.

4.0 INFORMATION ITEMS

4.1 AB 1090 Update

Staff reviewed discussions with Assembly staff on plans for a hearing to be held in Los Angeles. Councilmember Smith noted that a hearing had in fact been scheduled for November 16 at Los Angeles City Hall. At the request of the Task Force, staff agreed to contact all cities in the region to urge attendance at the session.

4.2 Regional Comprehensive Plan Draft Solid and Hazardous Waste Chapter Revised Outline

Staff introduced a preliminary outline for the Existing Conditions section of the Solid and Hazardous Waste Chapter. Members of the Task Force agreed to provide comments before the next meeting, in which further discussion will be held.

SOLID WASTE TASK FORCE AGENDA

December 22, 2005

10 a.m. to 12 p.m.

4.3 Underground Rulemaking

Bill Gausewitz, Director of the California Office of Administrative Law, reviewed the “underground rulemaking” issue and his office’s efforts to seek both clarity under existing law and resources for enforcement. There was general agreement among the Task Force members, and Mr Gausewitz, that new regulations and staff will be helpful, but that legislation should still be sought. Staff will agendize the legislative issue for the Energy and Environment Committee to seek conceptual support.

5.0 ACTION ITEMS

5.1 Renew L.A.

Councilman Smith discussed the City of Los Angeles’ efforts to pursue innovative conversion technologies under the “Renew LA” program.

ACTION: The Task Force recommended that SCAG support the Renew LA program.

6.0 SET NEXT MEETING DATE/TIME/PLACE

The next meeting will be held at SCAG on Thursday, December 22 at 10 a.m.

7.0 ADJOURNMENT

The meeting was adjourned at approximately 3 p.m.

SOLID WASTE TASK FORCE AGENDA

December 22, 2005

10 a.m. to 12 p.m.

Item 4.1

**Legislative Update
December 22, 2005**

ASSEMBLY BILL

No. 1090

Introduced by Assembly Member Matthews

February 22, 2005

An act to amend Sections 40051 and 40201 of, to add Sections 40105.5, 40116.5, 40172.5, and 41781.3 to, and to repeal Section 40117 of, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1090, as introduced, Matthews. Solid waste: diversion: conversion.

The existing California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board and requires the board and local agencies to promote specified waste management practices, in order of priority. Under existing law, the act requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities. except as specified.

The act defines the term "transformation" as meaning incineration, pyrolysis, distillation, or biological conversion other than composting. The act provides that "transformation" does not include composting, gasification, or biomass conversion.

This bill would revise the waste management practices that the board and local agencies are required to promote.

The bill would repeal the definition of the term "gasification" and would define the terms "conversion technology," "beneficial use," and

“recovery” for purposes of the act. The bill would revise the definition of the term “transformation” to exclude pyrolysis, distillation, or biological conversion other than composting from that definition and would specify that transformation does not include conversion technology.

The bill would allow the source reduction and recycling element to include, in the 50% of solid waste required to be diverted, solid waste that is subject to recovery through conversion technology, if specified conditions are met with regard to the conversion technology project and the board holds a public hearing and makes certain findings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 40051 of the Public Resources Code is
- 2 amended to read:
- 3 40051. In implementing this division, the board and local
- 4 agencies shall do both of the following:
- 5 (a) Promote the following waste management practices in
- 6 order of priority:
- 7 (1) Source reduction.
- 8 (2) ~~Recycling and composting~~ *Recovery, through recycling,*
- 9 *composting, conversion technology, or other beneficial use*
- 10 *technologies.*
- 11 (3) Environmentally safe transformation and environmentally
- 12 safe land disposal, at the discretion of the city or county.
- 13 (b) Maximize the use of all feasible source
- 14 reduction, ~~recycling, and composting~~ *and recovery* options in
- 15 order to reduce the amount of solid waste that must be disposed
- 16 of by transformation and land disposal. For wastes that cannot
- 17 feasibly be reduced at their source, ~~recycled, or composted,~~ *or*
- 18 *recovered for beneficial use,* the local agency may use
- 19 environmentally safe transformation or environmentally safe land
- 20 disposal, or both of those practices.
- 21 SEC. 2. Section 40105.5 is added to the Public Resources
- 22 Code, to read:
- 23 40105.5. “Beneficial use” means the point at which solid
- 24 waste is no longer a solid waste for purposes of this chapter and
- 25 reenters commerce as a market commodity or feedstock. For

1 purposes of this section, that point occurs when the solid waste is
2 used in a manufacturing process to make a product, used as an
3 effective substitute for a commercial product, or used as a fuel
4 for energy recovery.

5 SEC. 3. Section 40116.5 is added to the Public Resources
6 Code, to read:

7 40116.5. (a) "Conversion technology" means the processing,
8 through noncombustion thermal, chemical or biological
9 processes, other than composting, of solid waste, including, but
10 not limited to, organic materials such as paper, yard trimmings,
11 wood wastes, agricultural wastes, and plastics.

12 "Conversion Technology" includes, but is not limited to,
13 catalytic cracking, distillation, gasification, hydrolysis, and
14 pyrolysis.

15 (b) "Conversion Technology" does not include anaerobic
16 digestion, biomass conversion, aerobic or anaerobic composting,
17 or incineration.

18 (c) "Conversion technology facility" means a facility that
19 produces products, using conversion technology, including, but
20 not limited to, electricity, alternative fuels, chemicals, or other
21 products that meet quality standards for use in the marketplace.

22 SEC. 4. Section 40117 of the Public Resources Code is
23 repealed.

24 ~~40117. "Gasification" means a technology that uses a~~
25 ~~noncombustion thermal process to convert solid waste to a clean~~
26 ~~burning fuel for the purpose of generating electricity, and that, at~~
27 ~~minimum, meets all of the following criteria:~~

28 ~~(a) The technology does not use air or oxygen in the~~
29 ~~conversion process, except ambient air to maintain temperature~~
30 ~~control.~~

31 ~~(b) The technology produces no discharges of air contaminants~~
32 ~~or emissions, including greenhouse gases, as defined in~~
33 ~~subdivision (g) of Section 42801.1 of the Health and Safety~~
34 ~~Code.~~

35 ~~(c) The technology produces no discharges to surface or~~
36 ~~groundwaters of the state.~~

37 ~~(d) The technology produces no hazardous waste.~~

38 ~~(e) To the maximum extent feasible, the technology removes~~
39 ~~all recyclable materials and marketable green waste compostable~~
40 ~~materials from the solid waste stream prior to the conversion~~

1 process and the owner or operator of the facility certifies that
2 those materials will be recycled or composted.

3 (f) The facility where the technology is used is in compliance
4 with all applicable laws, regulations, and ordinances.

5 (g) The facility certifies to the board that any local agency
6 sending solid waste to the facility is in compliance with this
7 division and has reduced, recycled, or composted solid waste to
8 the maximum extent feasible, and the board makes a finding that
9 the local agency has diverted at least 30 percent of all solid waste
10 through source reduction, recycling, and composting.

11 SEC. 5. Section 40172.5 is added to the Public Resources
12 Code, to read:

13 40172.5. "Recovery" means the reuse, recycling, and
14 extraction of materials and energy from solid waste, including,
15 but not limited to, recycling, composting, and conversion
16 technology.

17 SEC. 6. Section 40201 of the Public Resources Code is
18 amended to read:

19 40201. "Transformation" means *the incineration, pyrolysis,*
20 *distillation, or biological conversion other than composting or*
21 *combustion of solid waste in an oxygen-rich environment.*
22 "Transformation" does not include composting, *gasification, or*
23 *biomass conversion, or conversion technology.*

24 SEC. 7. Section 41781.3 is added to the Public Resources
25 Code, to read:

26 41781.3. For any city, county, or regional agency source
27 reduction and recycling element submitted to the board after
28 January 1, 1995, the element may include, in the 50 percent of
29 solid waste required to be diverted, as specified in paragraph (2)
30 of subdivision (a) of Section 41780, solid waste subject to
31 recovery through conversion technology, if all of the following
32 conditions are met:

33 (a) The conversion technology project is in compliance with
34 all applicable laws, regulations, and ordinances.

35 (b) The board holds a public hearing in the city, county, or
36 regional agency jurisdiction within which the conversion
37 technology project is proposed, and, after the public hearing, the
38 board makes all of the following findings, based upon substantial
39 evidence in the record:

- 1 (1) The jurisdiction will continue to implement the recycling
2 and diversion programs in the jurisdiction's source reduction and
3 recycling element or its modified annual report.
- 4 (2) The facility complements the existing recycling and
5 diversion infrastructure and is converting solid waste that was
6 previously disposed.
- 7 (3) The facility maintains or enhances environmental benefits.
- 8 (4) The facility maintains or enhances the economic
9 sustainability of the integrated waste management system.

Assembly Bill No. 1497

CHAPTER 823

An act to amend Sections 44004 and 45011 of, and to add Section 43501.5 to, the Public Resources Code, relating to solid waste.

[Approved by Governor October 10, 2003. Filed
with Secretary of State October 11, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1497, Montanez. Solid waste facilities: permits.

(1) The existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board, establishes an integrated solid waste management program. Existing law prohibits the operation of a solid waste facility without a solid waste facilities permit and requires the operator of a solid waste landfill to submit to the board and the enforcement agency a plan for the closure and postclosure maintenance of the solid waste landfill and evidence of financial ability to provide for those costs. Existing law prohibits the operator of a solid waste facility from making any significant change in the design or operation of the solid waste facility not authorized by the existing permit, unless the change is approved by the enforcement agency, pursuant to a specified procedure. Existing law requires an operator to appeal a decision of the enforcement agency with regard to the approval of that change.

This bill would require a person who is required to file a closure plan to also file with the enforcement agency a Labor Transition Plan that includes provisions for the preferential reemployment and transfer rights of displaced employees, as specified, and provisions to ensure compliance with existing statutory requirements for relocations, terminations, and mass layoffs that are applicable to certain employers. The bill would require a person submitting a final closure plan to additionally submit a certification to the board and the enforcement agency that the provisions in the labor transition plan will be implemented.

The bill would require an enforcement agency to submit its proposed determination regarding whether a change to the solid waste facility will be approved to the board for comment, and to hold at least one public hearing on the proposed determination, in accordance with specified notice requirements. The bill would also require the enforcement agency to provide notice of an operator's appeal of the enforcement agency's approval of change in the same manner as notice is provided for the

public hearing. The bill would require the enforcement agency to provide notice, as specified, of the hearing.

The bill would require the board to adopt regulations relating to the public hearing and that define the term “significant change in the design or operation of the solid waste facility that is not authorized by the existing permit.” The bill would increase various time periods regarding the filing of an application for revision of the solid waste facilities permit.

The bill would impose a state-mandated local program by imposing new duties upon enforcement agencies with regard to solid waste facilities permits, thereby imposing a state-mandated local program.

(2) Existing law authorizes an enforcement agency to issue an order establishing a time schedule for a solid waste facility to comply with requirements relating to waste management when the enforcement agency determines that the facility is not meeting those requirements. Existing law authorizes the order to provide for an administrative civil penalty in an amount not to exceed \$5,000 per day of violation, and not to exceed a total of \$15,000 in any one calendar year, if compliance is not achieved in accordance with the time schedule. Existing law prohibits imposition of that penalty for the first 3 minor violations of the same requirement, as specified. Existing law requires the enforcement agency, before issuing an order imposing a civil or administrative penalty, to notify the enforcement agency’s governing body and make specified determinations regarding the circumstances of the violation and alternatives to the penalty.

This bill would delete the cap on the total amount of the penalty in one calendar year, delete the prohibition on imposing the penalty for minor violations, and delete the requirement that the enforcement agency take those actions before issuing the order imposing a civil or administrative penalty. The bill would broaden the circumstances under which the order imposing the penalty may be made.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 43501.5 is added to the Public Resources Code, to read:

43501.5. (a) In addition to the requirements of this article, and Section 21780 of Title 27 of the California Code of Regulations, a person who is required to file a final closure plan shall also file with the enforcement agency a Labor Transition Plan that includes all of the following:

(1) Provisions that ensure, subject to any requirements already established pursuant to a collective bargaining agreement, preferential reemployment and transfer rights of displaced employees to comparable available employment with the same employer for a period of no less than one year following the closure of the solid waste facility.

(2) Provisions to provide displaced employees assistance in finding comparable employment with other employers.

(3) Provisions to ensure compliance with all applicable provisions of Chapter 4 (commencing with Section 1400) of Part 4 of Division 2 of the Labor Code.

(b) When submitting the final closure plan, the operator shall submit, in addition to the requirements of subdivision (a), a certification to the board and the enforcement agency that the provisions described in paragraphs (1) to (3), inclusive, of subdivision (a), will be implemented, subject to any requirements already established under a collective bargaining agreement.

(c) For the purposes of this section, “comparable employment” means the same or a substantially similar job classification at equal or greater wage and benefit levels in the same geographic region of the state.

SEC. 2. Section 44004 of the Public Resources Code is amended to read:

44004. (a) An operator of a solid waste facility may not make a significant change in the design or operation of the solid waste facility that is not authorized by the existing permit, unless the change is approved by the enforcement agency, the change conforms with this division and all regulations adopted pursuant to this division, and the terms and conditions of the solid waste facilities permit are revised to reflect the change.

(b) If the operator wishes to change the design or operation of the solid waste facility in a manner that is not authorized by the existing permit, the operator shall file an application for revision of the existing solid waste facilities permit with the enforcement agency. The application shall be filed at least 180 days in advance of the date when the proposed modification is to take place unless the 180-day time period is waived by the enforcement agency.

(c) The enforcement agency shall review the application to determine all of the following:

(1) Whether the change conforms with this division and all regulations adopted pursuant to this division.

(2) Whether the change requires review pursuant to Division 13 (commencing with Section 21000).

(d) Within 60 days from the date of the receipt of the application for a revised permit, the enforcement agency shall inform the operator, and if the enforcement agency is a local enforcement agency, also inform the board, of its determination to do any of the following:

(1) Allow the change without a revision to the permit.

(2) Disallow the change because it does not conform with the requirements of this division or the regulations adopted pursuant to this division.

(3) Require a revision of the solid waste facilities permit to allow the change.

(4) Require review under Division 13 (commencing with Section 21000) before a decision is made.

(e) The operator has 30 days within which to appeal the decision of the enforcement agency to the hearing panel, as authorized pursuant to Article 2 (commencing with Section 44305) of Chapter 4. The enforcement agency shall provide notice of a hearing held pursuant to this subdivision in the same manner as notice is provided pursuant to subdivision (h).

(f) Under circumstances that present an immediate danger to the public health and safety or to the environment, as determined by the enforcement agency, the 180-day filing period may be waived.

(g) (1) A permit revision is not required for the temporary suspension of activities at a solid waste facility if the suspension meets either of the following criteria:

(A) The suspension is for the maintenance or minor modifications to a solid waste unit or to solid waste management equipment.

(B) The suspension is for temporarily ceasing the receipt of solid waste at a solid waste management facility and the owner or operator is in compliance with all other applicable terms and conditions of the solid waste facilities permit and minimum standards adopted by the board.

(2) An owner or operator of a solid waste facility who temporarily suspends operations shall remain subject to the closure and postclosure maintenance requirements of this division and to all other requirements imposed by federal law pertaining to the operation of a solid waste facility.

(3) The enforcement agency may impose any reasonable conditions relating to the maintenance of the solid waste facility, environmental monitoring, and periodic reporting during the period of temporary suspension. The board may also impose any reasonable conditions

determined to be necessary to ensure compliance with applicable state standards.

(h) (1) (A) Before making its determination pursuant to subdivision (d), the enforcement agency shall submit the proposed determination to the board for comment and hold at least one public hearing on the proposed determination. The enforcement agency shall give notice of the hearing pursuant to Section 65091 of the Government Code, except that the notice shall be provided to all owners of real property within a distance other than 300 feet of the real property that is the subject of the hearing, if specified in the regulations adopted by the board pursuant to subdivision (i). The enforcement agency shall also provide notice of the hearing to the board when it submits the proposed determination to the board.

(B) The enforcement agency shall mail or deliver the notice required pursuant to subparagraph (A) at least 10 days prior to the date of the hearing to any person who has filed a written request for the notice with a person designated by the enforcement agency to receive these requests. The enforcement agency may charge a fee to the requester in an amount that is reasonably related to the costs of providing this service and the enforcement agency may require each request to be annually renewed.

(C) The enforcement agency shall consider environmental justice issues when preparing and distributing the notice to ensure that the notice is concise and understandable for limited-English-speaking populations.

(2) If the board comments pursuant to paragraph (1), the board shall specify whether the proposed determination is consistent with the regulation adopted pursuant to subdivision (i).

(i) (1) The board shall, to the extent resources are available, adopt regulations that implement subdivision (h) and define the term “significant change in the design or operation of the solid waste facility that is not authorized by the existing permit.”

(2) While formulating and adopting the regulations required pursuant to paragraph (1), the board shall consider recommendations of the Working Group on Environmental Justice and the advisory group made pursuant to Sections 71113 and 71114 and the report required pursuant to Section 71115.

SEC. 3. Section 45011 of the Public Resources Code is amended to read:

45011. (a) If an enforcement agency determines that a solid waste facility or disposal site, is in violation of this division, any regulations adopted pursuant to this division, any corrective action or cease and desist order, or any other order issued under this division, or poses a potential or actual threat to public health and safety or the environment,

the enforcement agency may issue an order establishing a time schedule according to which the facility or site shall be brought into compliance with this division. The order may also provide for a civil penalty, to be imposed administratively by the enforcement agency, in an amount not to exceed five thousand dollars (\$5,000) for each day on which a violation occurs, if compliance is not achieved in accordance with that time schedule.

(b) Before issuing an order that imposes a civil penalty pursuant to subdivision (a), an enforcement agency shall do both of the following:

(1) Notify the operator of the solid waste facility that the facility is in violation of this division.

(2) Upon the request of the operator of the solid waste facility, meet with the operator of the solid waste facility to clarify regulatory requirements and to determine what actions, if any, that the operator may voluntarily take to bring the facility into compliance by the earliest feasible date.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SOLID WASTE TASK FORCE AGENDA

December 22, 2005

10 a.m to 12 p.m.

Item 4.2

**REGIONAL COMPREHENSIVE PLAN, DRAFT SOLID AND HAZARDOUS
WASTE CHAPTER, REVISED OUTLINE**

December 22, 2005

MEMO

DATE: December 22, 2005

TO: Solid Waste Task Force

FROM: Carolina Morgan, Associate Environmental Planner, SCAG, 213-236-1923
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SUBJECT: Existing Conditions Outline - Solid and Hazardous Waste Chapter – Regional Comprehensive Plan

Attached is the draft outline of the '*Existing Conditions*' section of the RCP Chapter on Solid and Hazardous Waste. The purpose of the '*Existing Conditions*' section is to give a general, yet comprehensive, overview of solid and hazardous waste management and conditions within the SCAG region, while at the same time highlight and identify issues that will be discussed in other section of the Chapter.

The format of the prior Chapter draft is substantially different from the new outline. The prior draft section presented data and information on current waste generation, waste disposal and diversion, and landfill capacity conditions for the SCAG region. However, it lacked focus on issues that are of concern for SCAG and within the context of plan. The section merely presented whatever data was available. The complete Chapter will contain, in addition to this section, sections on policy, action, outcomes and interagency coordination.

The purpose of presenting the outline for the Existing Conditions section, at this time, is to seek agreement on what is of interest so that staff can proceed on research and data acquisition. Subsequent to Task Force discussions, staff will present a new draft of the Chapter in approximately six months.

We appreciate you work on this outline to date and look forward to your comments and feedback.

Solid and Hazardous Waste Chapter

Existing Conditions Section –Outline

Chapter Outline

- 1) **Growth and facilities (capacity).** This section will describe the capacity of existing and planned solid waste facilities, compared with projected demand associated with population growth.
- 2) **Diversion**
- 3) **Intergovernmental relations.** This section will describe current and emerging issues between various levels of governments. Specifically, legislation, state mandates, regulations, and legislative and jurisdictional issues including railroad, rule making, etc.
- 4) **Transportation and transfer of solid and hazardous waste.** This section ties into the Regional Transportation Plan (RTP). Specifically, this section will discuss efficiency and safety, and will analyze the relationship between solid waste management practices and transportation systems.
- 5) **Urban Form.** This section will address future urban growth and its implication on solid and hazardous waste production/increase. Specifically, this section will tackle waste disposal and diversion in light of the regions anticipated growth distribution.
- 6) **New and emerging technologies**
- 7) **Performance Objectives and Evaluation**
 - a) **Generation.** Discussion of what is generated.
 - (1) **Solid Waste**
 - (2) **Electronic Waste**
 - (3) **Hazardous Waste**
 - ii) **Diversion.** Discussion of diversion performance in the region.
 - iii) **Disposal.** Discussion of disposal performance in the region.
 - b) **Facilities.** This section will present the existing and proposed solid and hazardous waste in the SCAG region.
 - i) **Existing**
 - (1) Landfills
 - (2) Waste-to-Energy Facilities
 - (3) Materials Recovery Facilities
 - (4) Transfer Station

- ii) Proposed**
 - (1) Landfills
 - (2) Waste-to-Energy Facilities
 - (3) Materials Recovery Facilities
 - (4) Transfer Stations
- c) Technologies/Alternatives. Discussion of potential and issues regarding conversion technologies.**
 - i) Waste-to-Energy
 - ii) Materials Recovery
 - iii) Other